

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE
2005 APR -7 P 1:39

U.S. DISTRICT COURT
DISTRICT OF MASS.

JOHN PENTZ,

Plaintiff,

v.

Civil Action No. 05-10207 (JLT)

**AFFIDAVIT OF PHILIP A.
O'CONNELL, JR IN SUPPORT OF
DEFENDANT'S MOTION TO DISMISS**

ALM,

Defendant.

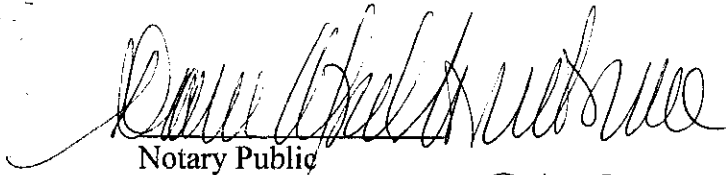
PHILIP A. O' CONNELL, JR. being duly sworn, deposes and says:

1. I am a member of Sonnenschein Nath & Rosenthal LLP, attorneys for Defendant ALM Media, Inc., formerly known as American Lawyer Media, Inc. (mistakenly identified in the Complaint as "ALM") and a member of the bar of this Court. I respectfully submit this affidavit in support of Defendant's Motion to Dismiss the Complaint.

2. Attached hereto as Exhibit A is a true and correct copy of the entire issue of the Litigation 2004 Supplement, published by ALM Media, Inc. This includes a complete version as published of the article that Plaintiff attached to the Complaint and incorporated therein.


Philip A. O'Connell, Jr.

Sworn to before me
This 7 th day of April, 2005



Notary Public

Boston - MA 02110

Diana Marcela Lombana

commission expires:

June 2, 2011

Only for Philip A O'Connell, Jr
Signature.